



James H. Bolin, Jr.  
Assistant General Counsel

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Re: *WC Docket No. 05-196 – COMPLIANCE LETTER*

November 28, 2005

Dear Ms. Dortch:

On behalf of itself and its affiliates (collectively, “CURRENT”), CURRENT Communications Group, LLC hereby submits this Compliance Letter in the above-captioned docket.<sup>1</sup>

CURRENT appreciates the Commission’s strong support of an environment in which new technologies can develop and grow without unnecessary regulatory burdens. BPL has tremendous promise to provide a new facilities-based competitor in markets for broadband communications services, including VoIP.

CURRENT provides VoIP service using broadband over powerline (“BPL”) technology to a limited number of subscribers as part of ongoing VoIP technical trials in the Cincinnati, Ohio metropolitan area and in Potomac, Maryland. CURRENT expects to launch a BPL-based VoIP service on a commercial basis in the near future, and that service will fully comply with the Commission’s VoIP 911 requirements. In addition, CURRENT’s existing VoIP trials are fully compliant with the Commission’s VoIP 911 requirements.

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<sup>1</sup> CURRENT Communications Group, LLC, based in Germantown, Maryland, is the nation's leading Broadband over Powerline multiple systems operator. Through its subsidiaries – CURRENT Communications Services, LLC and CURRENT Technologies, LLC – the company develops, builds and provides innovative, proprietary BPL technology and services for delivering broadband services domestically and internationally using BPL technology. The company offers high speed broadband services over existing electric power lines and in-home electric wiring, providing a fully integrated, end-to-end solution, including developing and providing state-of-the-art BPL equipment as well best-in-class business solutions and service capabilities to operate and manage a BPL deployment and broadband business.

As described in more detail below, CURRENT relies on third party telecommunications services providers to support significant components of its VoIP offerings. Accordingly, the responses provided herein are based in part on data provided to CURRENT by those third parties.

Requirements of 47 C.F.R. § 9.5(e). CURRENT complied with the subscriber notification, acknowledgment, and labeling requirements set forth in section 9.5(e) of the Commission's rules prior to their July 29, 2005 effective date by "obtain[ing] and keep[ing] a record of affirmative acknowledgement by every" trial participant of "circumstances under which E911 service may not be available" using CURRENT's VoIP service or may be "limited by comparison to traditional E911 service." In addition, warning stickers were provided to all trial participants for "equipment used in conjunction with the interconnected VoIP service." CURRENT has not added any new VoIP trial participants since July 29<sup>th</sup> and does not expect to expand participation in its existing VoIP trials; however, when it launches its VoIP service on a commercial basis, it will continue to comply with the section 9.5(e) requirements.

Requirements taking effect November 28, 2005. In addition, on or before November 28, 2005, CURRENT will comply with the other requirements of the Commission's June 3, 2005 *VoIP 911 Order*.<sup>2</sup>

*Percentage of subscribers receiving 911.* One hundred percent of CURRENT VoIP trial participants receive E911 service in accordance with the requirements of 47 C.F.R. § 9.5(b).

*911 Routing Information/Connectivity to Wireline E911 Network.* In both of its VoIP trial service areas, CURRENT utilizes Net2Phone, Inc. as its VoIP hosted platform services provider. Net2Phone in turn utilizes Level 3 Communications, Inc. for certain telecommunications administration services, including connection with and termination to the PSTN, and E911 connectivity. Level 3 has stated that its E911 service provides direct connectivity to all Selective Routers within its 911 service area, and that all 911 calls made using Level 3's E911 services are routed by the Selective Routers to the appropriate PSAP on dedicated trunk lines or are otherwise directly routed to the appropriate PSAP. Level 3 also has stated that it currently has direct connectivity to approximately 315 Selective Routers, and expects this number to increase. Both of CURRENT's VoIP trial deployment areas are within Level 3's E911 service area.

*Transmission of ANI and Registered Location Information.* Level 3 provides inbound and outbound calling as well as fixed location E911 as part of a bundled service, for which Level 3 has stated that it issues only geographically relevant telephone numbers based on the end-user address provided to Level 3 by its wholesale customers,

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<sup>2</sup> *IP-Enabled Services and 911 Requirements for IP-Enabled Service Providers*, First Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 10245 (2005) ("*VoIP 911 Order*").

including CURRENT (via Net2Phone). For fixed-location E911, such as both CURRENT VoIP trial deployments, Level 3 has stated that it will transmit ANI to the appropriate PSAP as forwarded to it from its wholesale customers. CURRENT's understanding is that: (i) all answering points within its VoIP trial service area are capable of receiving and processing ANI and Registered Location information; and (ii) all CURRENT VoIP trial participants' ANI and Registered Location information are transmitted to the relevant answering points.

*Initial Registered Location Information.* CURRENT has initial registered location information on file for all of its VoIP trial participants. As part of its VoIP provisioning process, CURRENT will verify the service address appearing in its records against ANI database records, and also will require each subscriber to verify his or her service address at sign-up.

*Obtaining Updated Registered Location Information.* CURRENT VoIP trial participants were required to agree to terms of service that prohibit moving the Telephone Adapter ("TA") used to obtain the service to a different address unless specifically requested to do so by CURRENT.

As a condition of service, CURRENT's future VoIP customers must agree not to use their TA from any location other than their registered service address. Customers who wish to use the service from a different address must contact CURRENT at its toll-free number to determine whether CURRENT can provide service (including E911) at the new location. If the new address can be served by CURRENT's network, we will process a service address change through our own systems and those of our telecommunications administration service providers. If CURRENT is unable to provide E911 at the proposed new location, then it will inform the subscriber that moving his or her TA to such location would violate CURRENT's service agreement, and would cause E911 service to function incorrectly.

*Technical Solution for Nomadic Subscribers.* CURRENT is committed to deploying robust solutions to obtain and update Registered Location information for nomadic VoIP subscribers. As of the date of this letter, CURRENT's underlying suppliers of telecommunications services have not made solutions available other than those described above. As new and more effective approaches to supporting nomadic VoIP use become available, CURRENT intends to offer those capabilities to its VoIP subscribers, and will do so in compliance with all applicable Commission rules.

If you have any questions concerning this letter, please do not hesitate to contact me at 513-321-3885.

Sincerely,

A handwritten signature in blue ink, appearing to read "James H. Bolin, Jr.", is displayed on a light blue rectangular background.

James H. Bolin, Jr.  
Assistant General Counsel  
CURRENT Communications Group, LLC